IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH
&
THE HONOURABLE MR. JUSTICE HARUN-UL-RASHID

WEDNESDAY, THE 21ST NOVEMBER 2007 / 30TH KARTHIKA 1929

LA.App..No. 902 of 2005()

LAR.379/1999 of PRL.SUB COURT, KOZHIKODE
.....

APPELLANT: RESPONDENT

STATE OF KERALA, REP.BY
THE SPECIAL TAHSILDAR,
LAND ACQUISITION, N.H.II, KOZHIKODE.

BY GOVERNMENT PLEADER SRI.K.U.MANOJ KUMAR
SRI.V.K.BEERAN, ADDL.ADVOCATE GENERAL

RESPONDENTS:

M.P.PRAKASINI, W/O.GANGADHARAN,
MELEPULIYAKOT HOUSE, MALLADA P.O.,
KOZHIKODE.

BY ADV. SRI.THOMAS ANTONY

THIS LAND ACQUISITION APPEAL HAVING BEEN FINALLY HEARD ON 21/11/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

KURIAN JOSEPH & HARUN-UL-RASHID, JJ.

L.A.A.902, 988, 1390 & 1394 of 2005
811 of 2006
188, 213, 252 & 388 of 2007

Dated: November 21, 2007

JUDGMENT

Kurian Joseph, J.

These are appeals filed by the State aggrieved by the fixation of land value in respect of acquisition of land for the National Highway, Kozhikode. The properties are situated in Vengeri village. It is seen that in LAA 519/2001 and several other cases this court has sustained the enhancement of land value at 72% in Vengeri village in respect of 1993 notification. In view of the judgment as above, these appeals are partly allowed. The judgment and decree under appeal are modified holding that the respondents/claimants shall be entitled to have the land value fixed only at 72% above the value fixed by the land acquisition officer. They shall also be entitled to all eligible statutory benefits including interest on solatium.

KURIAN JOSEPH
JUDGE

HARUN-UL-RASHID
JUDGE.

mt/-